

**San Francisco Regional Water Quality Control Board Comments
March 2013 BDCP EIR/EIS**

Received from Naomi Feger via email on May 17, 2013

Hi – sorry we didn't make the call yesterday. Here is the input from Barbara that I meant to send out sooner.

1. Potential project related impacts on water quality due to selenium have not been adequately identified and evaluated.

The project will result in significant increase of the San Joaquin River flow and subsequent surge in selenium loading into the Delta and Suisun Bay that is listed as impaired by selenium. Yet, the forecasted selenium concentrations for various alternatives (e.g. Table M-10A) indicate no change in levels of selenium in Sacramento River at Mallard Island (0.21 and 0.30 mg/L), when compared to the existing conditions (0.21-0.25 mg/L). However, the transect data for the North San Francisco Bay TMDL (in preparation) indicate that measured selenium concentrations at Mallard Island could lower than 0.1 mg/L, hence, the existing conditions in the analyzed scenarios are set to the excessively high values.

Moreover, the benchmarks used to evaluate impact of selenium on fish and aquatic birds may not be fully protective of the most sensitive species. For many years now, these concentrations have been questioned by scientists and agency staff as being too high for protection of some species, and especially the benthic fish such as white sturgeon and green sturgeon that are most vulnerable to selenium exposure. This prompted the US EPA to start work on derivation of the site-specific objectives for San Francisco Bay and California. Based on the work to date, it appears that to prevent bioaccumulation of selenium to toxic levels in sturgeon the water column concentrations must be at levels well below 0.25 mg/L that were used in impact analysis.

To the extent possible these potential impacts should be stated and evaluated in the DEIR/S to allow for future more detailed analyses once the proposed new fish tissue criteria are announced. We intend to work collaboratively with the proponents of the DEIR/S to fully address this issue.

2. 8.1.1.7 Water Quality Impairments section of the DEIR/S does not clearly state that Suisun Marsh wetlands are listed on the 2010 303(d) list as impaired for low DO/organic enrichment, mercury, nutrients and salinity. As a result the impacts that are likely to change DO conditions, nutrient concentrations or mercury levels are not fully realized or considered in the document. Only effects of changes in salinity levels are considered in detail.